

December 12, 2013

The Common Council met as the Water Utility Board at 7:00 pm on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Jeffries, Fuelling, Hoehn, Curtis, and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Chief Beloit; Chief Dixon. Asst. Chief Harms; Comm. Dieterle; Park Dir. Harshbarger; Ron and Pam Bennett; Kelly Cox; Kevin Jackson; Boy Scout Troop #375; Andy White; Michelle McConville; Sara Manifold – Mount Vernon Democrat; and Lois Gray – Posey County News.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented. Board member Hoehn moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Curtis.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker requested action on the claims presented.

Board member Higgins moved the claims presented be allowed for payment. Seconded by Board member Fuelling.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated they will now hear the report of the Water Chairman.

Water Chairman Curtis stated he has no report.

Supt. Gray stated he and Auggie Hansen and Ricky Word attended the IWWA Conference and received their CEU's. They learned quite a bit and the State has also now changed their sampling procedures. He then stated their monitoring equipment at the plant failed but they were never out of compliance. He added they will get a violation out of it, but IDEM was notified and they said the water department did all they could do under the circumstances.

Board member Jeffries asked if the problem has been fixed?

Chairman Curtis not yet.

Supt. Gray added the parts are being over-nighted and will be installed tomorrow.

Chairman Curtis said again, IDEM is aware of the situation.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker asked if the Clerk-Treasurer had any Communications for Board ?

Clerk-Treasurer Sitzman replied not at this time.

Mayor Tucker asked if there were any Legals for consideration ?

There were none.

Mayor Tucker asked if anyone in the Audience wished to address the Board ?

There was no response.

Mayor Tucker asked if there was any Old Business ?

There was no response.

Mayor Tucker asked if there was any New Business ?

Board member Curtis stated based on the conference Supt. Gray attended and the information he received, he and Supt. Gray will be looking into a long range capital improvement plan. They will be talking to some outside folks as well, and folks from other agencies for ideas, which they will then bring back to the Board.

Mayor Tucker stated if there was no further business, he entertains a motion to adjourn.

Board member Jeffries moved the meeting be adjourned. Seconded by Board member Curtis.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

John Tucker, Mayor

ATTEST:

Cristi L. Sitzman
Clerk-Treasurer

The Common Council met immediately following the Water Utility Board on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Jeffries, Fuelling, Hoehn, Curtis, and Higgins attending. Others attending were Attorney Higgins; Supt. Gray; Chief Beloit; Chief Dixon. Asst. Chief Harms; Comm. Dieterle; Park Dir. Harshbarger; Ron and Pam Bennett; Kelly Cox; Kevin Jackson; Boy Scout Troop #375; Andy White; Michelle McConville; Sara Manifold – Mount Vernon Democrat; Lois Gray – Posey County News; and arriving during the meeting, Larry Williams.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented.

Councilman Jeffries moved the reading of the minutes be waived and they be approved as presented.

Seconded by Councilman Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated they will now hear the report of the Standing Committees.

Street & Light Chairman Hoehn stated the department has had a very busy week, but they have done an exceptional job. They have had some breakdowns and from what he hears, round #3 is on the way. They have done a good job and they are back on tap.

Comm. Dieterle stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Police & Dog Chairwoman Higgins stated she has no report,
Chief Beloit stated he has no report.
Mayor Tucker asked if there were any questions ?
There were none.

Fire Chairman Jeffries stated he has no report.
Chief Dixon stated he has no report.
Mayor Tucker asked if there were any questions ?
There were none.

Sewer Chairman Fuelling stated the sewer department would also like to look into a long range plan after the water department does theirs.
Mayor Tucker asked if there were any questions ?
There were none.

Mayor Tucker stated they have the Financial Report before them and any questions could be directed to Clerk-Treasurer Sitzman.

Mayor Tucker asked if the Clerk-Treasurer had any Communications for the Council ?
Clerk-Treasurer Sitzman relied not at this time.

Mayor Tucker stated they are now ready for the Legal portion of the Agenda.
Attorney Higgins stated the first item is the second reading of the Ordinance Establishing the Salaries for the Elected Officials for the City of Mount Vernon for the Year Ending December 31, 2014.
Councilman Curtis moved the ordinance pass on second reading. Seconded by Councilman Hoehn.
Mayor Tucker asked if there was any discussion ?
There was none.

Mayor Tucker requested a roll call vote.
Roll was called by the Clerk-Treasurer with Council voting as follows:

Jeffries – yes; Fuelling – yes; Hoehn – yes;
Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.
Councilman Curtis moved the rules be suspended. Seconded by Councilman Hoehn.
Mayor Tucker asked if there was any discussion ?
There was none.

Mayor Tucker requested a roll call vote.
Roll was called by the Clerk-Treasurer with Council voting as follows:

Jeffries – yes; Fuelling – yes; Hoehn – yes;
Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.
Councilman Curtis moved the ordinance pass on final reading. Seconded by Councilman Jeffries.
Mayor Tucker asked if there was any discussion ?
There was none.

Mayor Tucker requested a roll call vote.
Roll was called by the Clerk-Treasurer with Council voting as follows:

Jeffries – yes; Fuelling – yes; Hoehn – yes;
Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.
Clerk-Treasurer Sitzman added it will be numbered 13-35.

Attorney Higgins stated the next item is a first reading on an amended ordinance, An Ordinance Amending the City of Mount Vernon Salary Ordinance-Park and Recreation Department, relative to the Director's salary.

Councilman Curtis moved the ordinance pass on first reading. Seconded by Councilman Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Jeffries – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Councilman Curtis moved the rules be suspended. Seconded by Councilman Jeffries.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Jeffries – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Councilman Curtis moved the ordinance pass on second reading. Seconded by Councilman Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Jeffries – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Councilman Curtis moved the rules be suspended. Seconded by Councilman Fuelling.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Jeffries – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Councilman Curtis moved the ordinance pass on final reading. Seconded by Councilman Jeffries.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Jeffries – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Clerk-Treasurer Sitzman added it will be numbered 13-36.

Councilman Curtis added as the park board members have changed, and the director is also fairly new, they haven't met in several years. He suggested they schedule a meeting for the first quarter of the new year in order to avoid situations such as this in the future.

Park Board member Bennett agreed that would be fine.

Attorney Higgins stated the next item is an end of the year house keeping kind of Resolution. It is a transfer in the General, Park & Recreation, Park & Recreation Non-Reverting, and MVHF Funds.

Clerk-Treasurer Sitzman added it is no new money, there is no fiscal impact, only moving money within budgets to make then all even out at the end of the year,.

Councilman Hoehn moved the Resolution be approved. Seconded by Councilman Jeffries.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Jeffries – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Clerk-Treasurer Sitzman added it will be numbered 13-37.

Attorney Higgins stated the next item comes to them from the Area Plan Commission, and Ms. McConville is present. This is an Ordinance to Rezone 214 Walnut Street from RM (Residential Multifamily) to CG (Commercial General). She added she does not believe Ms. Bourne of the AP is present, but Councilman Hoehn sits on that Board.

Councilman Hoehn stated they are still meeting now at the APC. The business they want to put into the property will be an environmentally friendly vintage furniture retail shop. He added the APC voted 7-0 in favor of the rezoning. He then moved the ordinance pass on first reading. Seconded by Councilman Curtis.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Jeffries – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Attorney Higgins stated the next item in reference to ATI, declaration of ERA and possible declaratory resolution. She further stated that at their last meeting ATI made a presentation to the Council about the plans they have for their expansion. Council now needs to determine if it qualifies for Economic Revitalization Area.

Dir. Harshbarger and Kelly Cox left the meeting.

Attorney Higgins stated Council needs to be able to answer YES to the following questions in order to designate the area an ERA:

- 1. The area has become undesirable for, or impossible of, normal development because of a lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings, or other factors which have impaired values or prevent a normal development or property of use of the property. OR**
- 2. Any area where a facility or a group of facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to decline in employment and tax revenue.**

Council answered YES.

Attorney Higgins stated in reference to the Real Estate:

- 1. Whether the estimate of the value of the redevelopment or rehabilitation is reasonable for projects of that nature.**

Council answered YES.

- 2. Whether the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation.**

Council answered YES.

- 3. Whether the estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described redevelopment or rehabilitation.**

Councilman answered YES.

- 4. Whether any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation.**

Council answered YES.

- 5. Whether the totality of benefits is sufficient to justify the deduction.**

Council answered YES.

Attorney Higgins further stated they need to be able to answer yes to the following in regard to the Equipment:

- 1. Whether the estimate of the cost of the new manufacturing equipment is reasonable for equipment of that type.**

Council answered YES.

- 2. Whether the estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the installation of the new manufacturing equipment.**

Council answered YES.

- 3. Whether the estimate of annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the installation of the new manufacturing equipment.**

Council answered YES.

- 4. Whether any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed installation of the new manufacturing equipment.**

Council answered YES.

- 5. Whether the totality of benefits is sufficient to justify the deduction.**

Council answered YES.

Attorney Higgins stated based on their answers, Council has agreed that the area is to be designated an Economic Revitalization Area and is therefore eligible for tax phase-in. The tax phase-in can be anywhere from one to 10 years.

Councilman Hoehn moved the tax phase-in on the real estate be for 10 years. Seconded by Councilman Curtis.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Jeffries – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Councilman Curtis moved the tax phase-in on the R & D, Logistics, and IT equipment be for five years. Seconded by Councilman Fuelling.

Mayor Tucker asked if there was any discussion ?

Councilman Hoehn asked the dollar amount of the equipment ?

Attorney Higgins replied \$900,000.

Mayor Tucker asked if there was any further discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Jeffries – yes; Fuelling – yes; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Attorney Higgins stated she would like to incorporate a few things into the declaratory resolution, and they are:

- *ATI will be required to provide Council with an annual review for compliance.

- *ATI will hire Posey County residents as appropriate.

- *Council can ask for and audit ATI's annual reports

- *ATI will pay for publication costs

- *Abatement will be granted in consecutive years

- *ATI will use local labor

- *ATI will purchase materials from local suppliers

- *Abatement will be contingent on ATI meeting employment/salaries, as cited in the application.

- *ATI will file personal property tax.

Councilman Hoehn stated they talked with Mr. Juncker about this when they were present at the last meeting.

Attorney Higgins stated they will have a public hearing on the matter at their next meeting.

Mayor Tucker stated they are now ready for the Audience and asked if anyone in the Audience wished to address Council ? He then stated he sees the Boy Scouts in the audience and asked that they come forward and say a little about themselves.

After the Boy Scouts finished, Mayor Tucker asked if anyone else in the Audience wished to address Council ?

Kevin Jackson approached and stated he is starting a fundraiser to rebuild and remodel the old police and fire station for tourists and turn it in to a museum. He understands they will be moving to the new station in April or May. It is hard to do a fundraiser, but he is going to work on it – they need to rebuild the old

station. At Christmas on Main Street there will be games that can also help to raise funds for this. He added they should keep the station from 120 years ago alive for folks, keep it going. Councilman Jeffries thanked Mr. Jackson for speaking.

Mayor Tucker asked if anyone else wished to address the Council ?
There was no response.

Mayor Tucker asked if there was any Old Business ?
Councilman Curtis stated the actual completion date for the police and fire station will be July 2014. They are getting ready to sign the contract with the architect and they will then move forward with bids. The steel package will be opened January 8, 2014; followed by the phase 2 bids to be opened at a later date.
Attorney Higgins replied February 6, 2014 and awarded February 20, 2014 with completion at the end of July 2014.

Mayor Tucker asked if there was any New Business ?
Councilman Fuelling stated he would like to discuss snow removal. He stated he has talked with Comm. Dieterle about this and they would like to get together and set u a plan to have cars park on one side of the street one day, and switch off, etc. They also want to work on snow removal routes and incorporate that into ordinance form. They will be proceeding with that possibility.
Larry Williams arrived at the meeting.

Councilwoman Higgins stated something she has observed is folks “running stop signs” at Pfafflin Court, Leffel Court, etc. and upon further inspection, there are no stop signs there as folks turn on to Country Club Road. Why is that ?
Supt. Gray replied those are not officially city streets, he doesn’t think.
Councilman Hoehn added state law says when someone is going from a private drive or street onto a public street, they are still required to stop even if there is no sign.

Mayor Tucker stated there are some INDOT grants he would like to pursue, with permission of the Council. They are of course very competitive, but he would like permission to apply. He stated as Council is aware, INDOT is going to extend a road behind the funeral home and Arbys, going west, as an exit from the Port that is much safer than the current exit. The first grant would be to upgrade State Street to be able to handle the 100,000 trucks that are going to be coming from the Port. He stated that grant is a \$582,000 grant, with a 20% match – it will be awarded at the end of January with construction not to begin until 2016.

Mayor Tucker continued by stating the second grant would be for money for downtown, to extend the bike trail and walking trail from the Landing to 4th and Main, on both sides of the street. It would be a \$3.3M grant with also a 20% match. He added he, Comm. Dieterle and Mrs. Willis have been certified to apply for these grants, with permission of the Council, and Mrs. Willis can do that on line. Unfortunately the deadline to apply for this round is tomorrow at 4:00 pm.

Councilman Hoehn asked the price on the Main Street grant ?

Mayor Tucker replied \$3,358,000.00.

Councilman Hoehn questioned the price of the other ?

Mayor Tucker replied \$582,000.00.

Councilman Fuelling stated State Street won’t hold up to 100,000 semis. He added he feels they should go for both of them, State Street being #2.

Councilman Hoehn added Kimball Street looks very bad, they are about to lose it. If they don’t do something, they will lose it.

Councilman Curtis stated they need to update State Street or they will lose that as well. He added he wants a nice Main Street, but they HAVE to have State Street. He then stated these grant applications come in cycles, maybe next cycle they can ask for Main Street. State Street is more pressing.

Mayor Tucker stated if Council puts State Street as #2, INDOT may prioritize it to #1.

Councilman Curtis stated the city needs to prioritize it.

Councilman Jeffries added State Street is also a safety issue.

Councilman Fuelling asked if they could possibly get some of the match money from the businesses that utilize the Port ?

Councilman Jeffries replied that is an interesting perspective.

Councilwoman Higgins agreed that State Street is more important.

Mayor Tucker stated so State Street is #1 and Main Street is #2 ?

Councilman Hoehn asked if that could be amended ?

Mayor Tucker replied no, INDOT will look at the application right away.

Councilman Hoehn stated he has also noticed some Vectren activity down there.

Mayor Tucker agreed and added it doesn't appear they are communicating with INDOT. He then stated if Council concurs, he will put State Street as #1 and Main Street as #2, and proceed with the application process, with Mayor Tucker and Councilman Curtis signing off.

Council concurred.

Councilman Jeffries asked Chief Dixon to approach and update the Council on an opportunity he just fell into.

Chief Dixon stated the Board of Works, several months ago, gave him permission to look into the possibility of purchasing a new fire truck. He has been presented with a unique opportunity to get one at a significant savings (\$60,000). The City of Vincennes has two trucks that they purchased but now need to get rid of. The kicker is it has to be purchased by December 31, 2013.

Councilman Jeffries asked about the truck they are replacing.

Chief Dixon replied it is 17 years old with 9,000 hours and 60,000 miles on it. It is beyond its life span and it makes every single run they have.

Councilman Jeffries asked what the normal cycle of replacement is ?

Chief Dixon replied normally 10 years.

Councilman Curtis stated CCDF money has been committed for part of the police and fire station payment.

Attorney Higgins stated that actually the Board of Works would make this decision. Unless they would need an additional appropriation, then that would come before the Council. Perhaps they could look into a lease purchase .

Clerk-Treasurer Sitzman stated she can tell them that for the past few years CCDF has not been able to make the entire fire truck payment of \$67,000.00.

Chief Dixon stated no funds would be needed probably until late next year.

Councilman Curtis asked the cost ?

Chief Dixon replied \$525,000.00.

Councilman Fuelling questioned the cost of the ladder truck.

Chief Dixon replied \$680,000 and it is a 2004.

The Boy Scouts left the meeting.

The Bennetts left the meeting.

Councilman Curtis stated he is on the Board of Works, they have having a special meeting on December 27, he is glad to hear Chief Dixon's thoughts tonight on this, maybe they could have more information at that meeting. He stated he has looked into this and it is a good buy. But it is a matter of money.

Councilman Jeffries asked if they were too late ? He added he isn't against an additional appropriation especially with significant savings.

Councilman Fuelling stated it takes 10 months to get a truck.

Councilman Curtis asked if there have been extensive repairs on the other truck ?

Chief Dixon relied they can only have it repaired in Indianapolis, which is costly. The last repair was \$5,500, and that was not long ago. He added he doesn't want to get rid of that truck, it just doesn't need to be used as a front line truck.

Councilwoman Higgins added if it is 17 years old, it is time.

Councilman Curtis stated he is quite certain that CCDF will not cover it all.

Chief Dixon stated he can find out on the lease purchase.

Councilman Curtis stated they need that information.

Supt. Gray left the meeting.

Chief Dixon stated he will get some figures and even contact the local banks.\

Mayor Tucker stated they will now hear the reports of the Districts.

1st District Councilman Jeffries stated he has no report.

2nd District Councilman Fuelling stated he has no report.

3rd District Councilman Hoehn stated he ha no report.

4th District Councilman Curtis stated he has no report.

Councilwoman-at-Large Higgins stated Christmas on Main Street is 48 hours away.

Mayor Tucker requested action on the December 26, 2013 meeting.

Councilman Fuelling moved the meeting be cancelled. Seconded by Councilman Hoehn.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated the Council needs to make their appointment to the Area Plan Commission for 2014. He added Councilman Hoehn has done it for the past two years.

Councilman Hoehn stated he is fine with it.

Councilman Fuelling moved Councilman Hoehn again serve on the Area Plan Commission. Seconded by Councilman Curtis.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated if there was no further business, he entertains a motion to adjourn.

Councilman Jeffries moved the meeting be adjourned. Seconded by Councilwoman Higgins.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

John Tucker
Mayor

ATTEST:

Cristi L. Sitzman
Clerk-Treasurer

